

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2021-153-S

IN RE:)	SOUTH CAROLINA OFFICE OF
Application of Palmetto Wastewater)	REGULATORY STAFF'S MOTION TO
Reclamation, Incorporated for an Adjustment of)	COMPEL PRODUCTION OF
Rates and Charges)	DOCUMENTS AND THINGS
_____)	

Pursuant to S.C. Code Ann. §§ 58-4-55, 58-5-230, S.C. Code Ann. Regs. 103-517, 103-833.A, and Rules 26, 34, and 37 of the South Carolina Rules of Civil Procedure, the South Carolina Office of Regulatory Staff ("ORS"), by and through counsel, hereby moves the Public Service Commission of South Carolina ("Commission") for an order compelling Palmetto Wastewater Reclamation, Inc. ("PWR") to provide the materials for 2019 sought in Requests 6-7 and 6-8 of ORS's Sixth and Continuing Request for Books, Records, and Other Information. In support of this Motion, ORS states the following:

INTRODUCTION AND BACKGROUND

On July 21, 2021, ORS served on PWR its Sixth and Continuing Request for Books, Records, and Other Information in the above referenced docket. Request 6-7 asked for copies of the minutes of SouthWest Water Company's ("SWWC") Board of Directors ("Board") meetings that occurred in calendar years 2019, 2020, and 2021. Request 6-8 asked for copies of all presentations made to SWWC's Board during calendar years 2019, 2020, and 2021. PWR submitted a response on July 28, 2021, in which it asserted boilerplate objections to Requests 6-7

and 6-8 that the requests were “overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.”¹

PWR is a subsidiary of SWWC. SWWC allocates costs for products or shared services provided by SWWC to its affiliates such as PWR. Mujeeb Hafeez Direct, p. 4, lines 22-23. Costs SWWC allocates include indirect costs that SWWC asserts are so general in nature as to require prorations based on a combination of factors. *Id.* p. 5, lines 17-19. SWWC attributes indirect costs to several corporate functions it asserts are essential to providing effective utility service, including executive functions. *Id.* p. 6, lines 1-4. The executive function, of which SWWC’s Board is a part, is “responsible for providing strategic vision and guidance, business strategy and development, executive management and oversight, and the overall direction of the company.” *Id.* p. 7, lines 9-13.

On August 18, 2021, ORS sent a letter to PWR’s counsel outlining its position with respect to the requested materials and stating it planned to proceed with a Motion to Compel if the requested materials were not provided.² PWR’s counsel and ORS’s counsel subsequently engaged in discussions in an effort to resolve the matter. PWR’s counsel proposed producing the requested materials for the 2020 calendar year, the test year used in the Application, by August 27, 2021, after a privilege review had been conducted. In reply, ORS agreed to the requested materials for the 2020 calendar year being produced by August 27th, reiterated its position the original scope of the requests was appropriate, and asked that PWR provide a date by which the materials for 2019 and 2021 would be produced. PWR provided the following supplemental response on August 27, 2021:

The Company objects to this request on the basis that it seeks information that is irrelevant and is overbroad, unduly burdensome, and not reasonably

¹ See Exhibit 1.

² See Exhibit 2.

calculated to lead to the discovery of admissible evidence. The Company further objects to this request to the extent it seeks information that is privileged or otherwise protected from disclosure.

Subject to and without waiving its objections, the Company will produce: (a) the minutes of the meetings of the SouthWest Water Company Board of Directors in 2020, the test year for the rate case at issue and (b) the unanimous written consents of the SouthWest Water Company Board of Directors in 2020, i.e., actions taken by the Board by written consent in lieu of a meeting. Please see Confidential Attachment a provided in response to AIR 6-7.

Additionally, subject to and without waiving its objections, the Company will review the minutes of the meetings of the SouthWest Water Company Board of Directors in 2019 and produce any portions that reference the Company or its then corporate parents in 2019.³

PWR provided a similar supplemental response regarding the presentations to the Board sought in Request 6-8. ORS's counsel informed PWR's counsel that ORS did not agree to PWR's proposal regarding limiting the portions of the 2019 minutes and presentations produced.

On September 3, 2021, PWR made the limited production of 2019 materials it offered in its August 27th response. PWR's September 3, 2021 production consists of three pages of materials that are heavily redacted to the point very little is discernable about what is being discussed or its relevance.

ARGUMENT

South Carolina Code Ann. § 58-4-50 directs ORS to inspect, audit, and examine public utilities and make appropriate recommendations to the Commission regarding matters within the jurisdiction of the Commission when in the public interest. Moreover, ORS "must represent the public interest of South Carolina before the commission . . . '[P]ublic interest' means the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer, and preservation of continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services."⁴

³ See Exhibit 3.

⁴ S.C. Code Ann. § 58-4-10(B).

The above statutes, as well as South Carolina Code Ann. §§ 58-4-55 and 58-5-230, confirm that ORS, in performance of its duties, has a statutory right and obligation to require a utility to produce books, records, and other information.⁵ Commission Regulation 103-517 declares that in addition to having access to the utility's records, the utility must also be fully cooperative during rate adjustment audits or compliance audits performed by ORS. Further, Commission Regulations are also clear that any material relevant to the subject matter in a pending proceeding may be discovered "unless the material is privileged or is hearing preparation working papers prepared for the pending proceeding." S.C. Code Reg. 103-833.A.

ORS Requests 6-7 and 6-8 specifically requested that PWR provide copies of the Board minutes for meetings that occurred in calendar years 2019, 2020, and 2021, as well as all presentations made to SWWC's Board during that same period. In its initial response, PWR asserted boilerplate objections that the Requests were "overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence." In its supplemental response, PWR asserted the same objections in addition to objecting to the requests to the extent they seek information that is privileged or otherwise protected from disclosure. PWR provided the minutes and presentations for 2020 with certain redactions and a limited production of the 2019 materials requested.

The Board minutes and presentations requested are relevant and reasonably calculated to lead to discoverable evidence. The Company's own prefiled direct testimony acknowledges the executive function of SWWC's shared services includes SWWC's Board and that the executive function is responsible for providing "strategic vision and guidance, business strategy and development, executive management and oversight, and the overall direction of the company."

⁵ Pursuant to S.C. Code Ann. § 58-5-230, "[t]he books and accounts of all public utilities shall be subject to the examination of the regulatory staff at any time."

Hafeez Direct p. 7, lines 9-13. The minutes and the presentations will provide information on a number of subjects, including operational decisions, issues, problems, and challenges discussed by the SWWC Board such as operation and capital expenditure needs; projected organic growth and growth via acquisitions; operational changes such as outsourcing and insourcing; potential changes to expenses such as new vendors, centralized purchasing, and changes to employee benefit plans; changes to capital structure such as new debt filings or capital infusions; and potential litigation. The Board's decisions on matters such as these in turn impact the rates and service of subsidiary utilities under the control of SWWC, including PWR.

SWWC has allocated approximately \$695,000 in Board-related expenses to its subsidiaries. Hafeez Direct, p. 8, lines 5-6. SWWC proposes to allocate approximately \$11,120 of that \$695,000 to PWR. This amount is included in the applicant's proposed revenue requirement and, if approved, will impact customer rates. The requested minutes and presentations assist in verifying those expenses and confirming whether the Board is engaging in activities that directly impact PWR's customers.

In addition, the materials sought in ORS Requests 6-7 and 6-8 will aid in confirming the accuracy of other information provided to ORS, including but not limited to acquisitions of other utilities that have occurred or are projected to occur that may impact the amount of expenses at the SWWC level and other intermediate levels that are proposed to be allocated to PWR.

Contrary to PWR's assertions, the time period of materials sought in Requests 6-7 and 6-8 is not overbroad or unduly burdensome. The Requests covered the year prior to the test year, the test year, and the year after the test year. The Board is part of the executive function which provides "strategic vision and guidance, business strategy and development, executive management and oversight, and the overall direction of the company." Hafeez Direct p. 7, lines

9-13. The strategic vision, business strategy and development, and executive management and oversight employed by the Board in 2019 undoubtedly impact SWWC's subsidiaries not only in 2019 but in 2020 and beyond. Further, decisions made in 2019 impact operations going forward and the expenses at the SWWC level and other intermediate levels ultimately proposed to be allocated to PWR. PWR's proposal to limit the materials produced for 2019 to where PWR or its then corporate parents are referenced should be rejected. PWR's September 3, 2021 production of 2019 materials limited in the manner PWR proposed consists of three pages of materials that are heavily redacted to the point very little is discernable about what is being discussed or its relevance. Relevant information may be discussed in places other than where PWR or its parent companies in 2019 are expressly referenced.

While ORS maintains its request for 2021 Board minutes and presentations is appropriate, ORS is not seeking to compel production of these materials at this time but reserves the right to do so later should other information indicate a review is necessary.

CONCLUSION

For the reasons set forth herein, in any subsequent written submission by ORS, and in any oral argument heard by the Commission, ORS respectfully moves that the Commission issue an order compelling PWR to produce the materials for 2019 sought in Requests 6-7 and 6-8 of ORS's Sixth and Continuing Request for Books, Records, and Other Information.

SIGNATURE ON FOLLOWING PAGE

Respectfully submitted,



Christopher M. Huber, Esquire

Nicole M. Hair, Esquire

SOUTH CAROLINA OFFICE OF REGULATORY STAFF

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September 7, 2021

Columbia, South Carolina

Palmetto Wastewater Reclamation, Inc.
Docket 2021-153-S
Response to ORS Sixth Information Request

- 6-1 Follow up to Information Request 2-14; Regarding the file “ORS AIR 2-14 Att b – 3-Factor Allocation Calculation 2020 Test Year” that was provided in response to ORS AIR 2-14, please provide details of the accounts and amounts that make up the operating expense, payroll recorded and end of year gross plant recorded year-end 2020 for all of the systems/utilities. This should be in functional excel format with formulas intact.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-2 Follow up to Information Request 2-17; For the list in the file titled “Attachment A – Sample Testing” please provide the following:
- a. Description of the asset;
 - b. Reason the asset was placed into service;
 - c. Copy of the purchase invoice for the asset;
 - d. Advise if this item was new (i.e., didn’t replace an existing asset) or a replacement item (i.e., replaced an existing asset); and
 - e. Provide a detailed explanation why the Company capitalized the item verses recording it as an expense.

PWR Response:

- a-b. Please see Attachment aa.
- c. Please see Attachments aa-cc.
- d-e. Please see Attachment aa.

Response prepared by:

Lauren Hutson

- 6-3 Follow up to Information Request 2-17; For the list in the file titled “Attachment B – Sample Testing” please provide the following:
- a. Description of the project/addition;

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- b. Reason for the project/addition;
- c. Date of project/addition completion;
- d. Advise if any the new items replaced any previously capitalized assets or if the items were installed to provide utility service to new customers (i.e., didn't replace an existing capitalized asset); and
- e. If any assets were replaced as result of the project/addition, provide a detailed list of assets replaced/retired and the original cost of the retired assets organized by NARUC utility account.

PWR Response:

- a-b. Please see column V of Attachment a.
- c. Date of project/addition completion is generally the in-service date listed in column L of Attachment a.
- d. Please see column V of Attachment a.
- e. There were no retirements made by PWR's fixed asset consultant associated with the samples selected.

Response prepared by:

Adam Delk and Lauren Hutson

- 6-4 Follow up to Information Request 3-1; Regarding the file "ORS AIR 3-1 Att b – Alpine – Property Records Detail 3-31-2021" that was provided in response to request 3-1, please provide the following:
- a. On the "Prop. Recr @ 12-31-21" tab, please explain the hard-keyed amount of 473,406.44 in cell AN1341.
 - b. On the "Prop. Recr @ 12-31-21" tab, why are some of the Accumulated Amortization of CIAC items in column CS fully amortized before the end of their useful life or are being amortized faster than their useful life? (For example, Tap Fees on Lines 20-30 are shown as fully amortized in Column CS.)

PWR Response:

- a. This was an amount used by PWR's outside consultant to simplify the rollforward of the property records.
- b. The total amortization of CIAC amounts on Lines 20-30 of \$266,045 reflects that of Audit Exhibit ICG-3 in ORS Direct Testimony in Docket 2012-94-S.

Palmetto Wastewater Reclamation, Inc.
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Response to ORS Sixth Information Request

Response prepared by:

Lauren Hutson

- 6-5 Follow up to Information Request 3-15; Please explain why the Company had no write offs (i.e., bad debt) during the year 2020.

PWR Response:

With the impact to the ultimate collectability of the increased receivables during the COVID-19 pandemic still unknown, the company continued to reserve on delinquent accounts but did not write-off any delinquent accounts as bad debt during 2020.

Response prepared by:

Lizzie Wright

- 6-6 Please provide a detailed organization chart that details any and all subsidiaries (i.e., both utility and non-utility) that are under the SouthWest Water Company ("SouthWest") umbrella as of the date of this request. This organization chart is requested to verify that all subsidiaries are included in the 3 Factor Calculation provided by SouthWest. Absent this being provided, ORS will not be able to determine the 3 Factor Allocation percentage is calculated correctly, and therefore, will not be able to determine PWR's respective allocation of SouthWest overhead costs.

PWR Response:

Please refer to confidential Attachment a.

Response prepared by:

Mujeeb Hafeez

- 6-7 Please provide copies of the minutes of SouthWest's Board of Directors meetings that occurred in calendar years 2019, 2020, and 2021.

PWR Response:

The Company objects to this request on the basis that it is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence..

Palmetto Wastewater Reclamation, Inc.
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Response to ORS Sixth Information Request

Response prepared by:

N/A

- 6-8 Please provide a copy of all presentations made to SouthWest's Board of Directors during calendar years 2019, 2020 and 2021.

PWR Response:

The Company objects to this request on the basis that it is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Response prepared by:

N/A

- 6-9 Please identify any costs associated with SouthWest's Board of Directors that were allocated to PWR in the test year.

PWR Response:

Please refer to confidential Attachment a.

Response prepared by:

Mujeeb Hafeez

- 6-10 Please provide the following for the items listed in the spreadsheet titled "Attachment C – Plant in Service Sample" attached to these Requests:

- a. Invoices, contracts, bills, receipts, work orders, etc. (with reconciliations as needed if the supporting document amount differs from the sample amount);
- b. If the transaction selected is based on a calculation, please provide the calculation in Excel with working formulas and any supporting documents/files that were used to create/support that calculation;
- c. If the transaction selected is a summary of transactions that consists of multiple transactions, please provide in Excel the General Ledger Details that support the summary of transactions currently selected so that sub-samples may be selected by ORS; and

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- d. If the Company believes a transaction should not be recoverable, please identify any similar items included in this docket that should be removed.

PWR Response:

a-d. Please see Attachments aa-ce and confidential Attachment cf.

Response prepared by:

Lauren Hutson

- 6-11 For the SouthWest owned utility, SCWU-CUC, Inc., please provide the 2020 amounts for Operating Expenses, Payroll Recorded and Gross Plant. The amounts should correlate with the methodology the Company uses in its 3-factor allocation for its SouthWest overhead cost allocation. Please also provide sufficient detailed support for the three categories of costs.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-12 For the SouthWest owned utility, Ni Florida, LLC, please provide the 2020 amounts for Operating Expenses, Payroll Recorded and Gross Plant. The amounts should correlate with the methodology the Company uses in its 3-factor allocation for its SouthWest overhead cost allocation. Please also provide sufficient detailed support for the three categories of costs.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-13 Please list any other utility or non-utility company acquired by SouthWest or one of its subsidiaries in 2021. If any such companies exist, please provide the 2020 amounts for Operating Expenses, Payroll Recorded and Gross Plant. The amounts should correlate with

Palmetto Wastewater Reclamation, Inc.
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Response to ORS Sixth Information Request

the methodology the Company uses in its 3-factor allocation for its SouthWest overhead cost allocation. Please also provide sufficient detailed support for the three categories of costs.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-14 Please identify and quantify any legal expenses that were incurred during the test year as a result of fines or penalties assessed to the Company.

PWR Response:

Please see Attachment a for legal expenses totaling \$2,376.00 related to the NOAV in 2020 accounted for in the test year at the shared cost level.

Response prepared by:

Lauren Hutson

- 6-15 Please provide a brief narrative explanation regarding how the cost of equity was estimated.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-16 To the extent a proxy group was utilized in the process of estimating the cost of equity, please provide the names of the proxy companies.

PWR Response:

One-week extension requested

Response prepared by:

Palmetto Wastewater Reclamation, Inc.
Docket 2021-153-S
Response to ORS Sixth Information Request

N/A



CHRISTOPHER M. HUBER
Deputy General Counsel for ORS

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August 18, 2021

VIA EMAIL ONLY

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RE: Application of Palmetto Wastewater Reclamation, Incorporated for an Adjustment
of Rates and Charges
Docket No. 2021-153-S

Dear Mr. Terreni and Mr. Elliott:

The South Carolina Office of Regulatory Staff ("ORS") is in receipt of the responses provided by Palmetto Wastewater Reclamation, Inc. ("PWR" or "Company") to ORS's Sixth and Continuing Request for Books, Records, and Other Information in the above referenced matter.

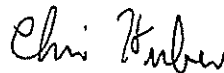
In response to Information Requests 6-7 and 6-8, PWR objected on the grounds that these requests were overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. No documents or data were provided. Copies of PWR's responses to Information Requests 6-7 and 6-8 are attached. Request 6-7 asked for copies of the minutes of SouthWest's Board of Directors meetings that occurred in calendar years 2019, 2020, and 2021. Request 6-8 asked for a copy of all presentations made to SouthWest's Board of Directors during calendar years 2019, 2020 and 2021.

Regulation 103-833.A states "any material relevant to the subject matter involved in the pending proceeding may be discovered unless the material is privileged or is hearing preparation

working papers prepared for the pending proceeding.” PWR’s response neither claimed the requested minutes and/or presentations were privileged nor hearing preparation working papers. Moreover, the board minutes and presentations requested are relevant and reasonably calculated to lead to discoverable evidence. Among other reasons that these materials are relevant is they provide information on operational decisions, issues, problems, and challenges being discussed by SWWC’s board of directors. These discussions and decisions impact the rates and service of subsidiary utilities under SWWC’s control, including PWR. Further, SWWC has allocated approximately \$695,000 in expenses related to its board of directors to subsidiaries such as PWR. PWR is allocated approximately \$11,120, which is included as part of the Company’s revenue requirement and impacts customer rates. Board minutes and presentations to the board are relevant to verifying the expenses and whether the board is engaging in activities that impact PWR’s customers. Decisions within the purview of any company’s Board of Directors include among many others, decisions relating to capital investments, finances, and company solvency. Board minutes and presentations to the board can assist with verification of the accuracy of other information provided to ORS on these and other subjects.

ORS requests that PWR provide the materials requested in Information Requests 6-7 and 6-8 no later than August 20, 2021. ORS plans to proceed with filing a Motion to Compel if we do not receive the requested materials by this date. We appreciate your good faith effort to resolve this amicably and expediently and look forward to your reply. Please do not hesitate to contact me if you have any questions.

Sincerely,



Christopher M. Huber

Palmetto Wastewater Reclamation, Inc.
Docket 2021-153-S
Response to ORS Sixth Information Request

- 6-1 Follow up to Information Request 2-14; Regarding the file "ORS AIR 2-14 Att b – 3-Factor Allocation Calculation 2020 Test Year" that was provided in response to ORS AIR 2-14, please provide details of the accounts and amounts that make up the operating expense, payroll recorded and end of year gross plant recorded year-end 2020 for all of the systems/utilities. This should be in functional excel format with formulas intact.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-2 Follow up to Information Request 2-17; For the list in the file titled "Attachment A – Sample Testing" please provide the following:
- a. Description of the asset;
 - b. Reason the asset was placed into service;
 - c. Copy of the purchase invoice for the asset;
 - d. Advise if this item was new (i.e., didn't replace an existing asset) or a replacement item (i.e., replaced an existing asset); and
 - e. Provide a detailed explanation why the Company capitalized the item verses recording it as an expense.

PWR Response:

- a-b. Please see Attachment aa.
- c. Please see Attachments aa-cc.
- d-e. Please see Attachment aa.

Response prepared by:

Lauren Hutson

- 6-3 Follow up to Information Request 2-17; For the list in the file titled "Attachment B – Sample Testing" please provide the following:
- a. Description of the project/addition;

Palmetto Wastewater Reclamation, Inc.
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Response to ORS Sixth Information Request

- b. Reason for the project/addition;
- c. Date of project/addition completion;
- d. Advise if any the new items replaced any previously capitalized assets or if the items were installed to provide utility service to new customers (i.e., didn't replace an existing capitalized asset); and
- e. If any assets were replaced as result of the project/addition, provide a detailed list of assets replaced/retired and the original cost of the retired assets organized by NARUC utility account.

PWR Response:

- a-b. Please see column V of Attachment a.
- c. Date of project/addition completion is generally the in-service date listed in column L of Attachment a.
- d. Please see column V of Attachment a.
- e. There were no retirements made by PWR's fixed asset consultant associated with the samples selected.

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PWR Response:

- a. This was an amount used by PWR's outside consultant to simplify the rollforward of the property records.
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Palmetto Wastewater Reclamation, Inc.
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Response prepared by:

Lauren Hutson

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PWR Response:

Please refer to confidential Attachment a.

Response prepared by:

Mujeeb Hafeez

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PWR Response:

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Palmetto Wastewater Reclamation, Inc.
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Response prepared by:

N/A

- 6-8 Please provide a copy of all presentations made to SouthWest's Board of Directors during calendar years 2019, 2020 and 2021.

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Response prepared by:

N/A

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PWR Response:

Please refer to confidential Attachment a.

Response prepared by:

Mujeeb Hafeez

- 6-10 Please provide the following for the items listed in the spreadsheet titled "Attachment C – Plant in Service Sample" attached to these Requests:

- a. Invoices, contracts, bills, receipts, work orders, etc. (with reconciliations as needed if the supporting document amount differs from the sample amount);
- b. If the transaction selected is based on a calculation, please provide the calculation in Excel with working formulas and any supporting documents/files that were used to create/support that calculation;
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Palmetto Wastewater Reclamation, Inc.
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- d. If the Company believes a transaction should not be recoverable, please identify any similar items included in this docket that should be removed.

PWR Response:

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Response prepared by:

Lauren Hutson

- 6-11 For the SouthWest owned utility, SCWU-CUC, Inc.; please provide the 2020 amounts for Operating Expenses, Payroll Recorded and Gross Plant. The amounts should correlate with the methodology the Company uses in its 3-factor allocation for its SouthWest overhead cost allocation. Please also provide sufficient detailed support for the three categories of costs.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-12 For the SouthWest owned utility, Ni Florida, LLC, please provide the 2020 amounts for Operating Expenses, Payroll Recorded and Gross Plant. The amounts should correlate with the methodology the Company uses in its 3-factor allocation for its SouthWest overhead cost allocation. Please also provide sufficient detailed support for the three categories of costs.

PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-13 Please list any other utility or non-utility company acquired by SouthWest or one of its subsidiaries in 2021. If any such companies exist, please provide the 2020 amounts for Operating Expenses, Payroll Recorded and Gross Plant. The amounts should correlate with

Palmetto Wastewater Reclamation, Inc.
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the methodology the Company uses in its 3-factor allocation for its SouthWest overhead cost allocation. Please also provide sufficient detailed support for the three categories of costs.

PWR Response:

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Response prepared by:

N/A

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PWR Response:

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Response prepared by:

Lauren Hutson

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PWR Response:

One-week extension requested

Response prepared by:

N/A

- 6-16 To the extent a proxy group was utilized in the process of estimating the cost of equity, please provide the names of the proxy companies.

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One-week extension requested

Response prepared by:

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N/A

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PWR Response:

The Company objects to this request on the basis that it seeks information that is irrelevant and is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. The Company further objects to this request to the extent it seeks information that is privileged or otherwise protected from disclosure.

Subject to and without waiving its objections, the Company will produce: (a) the minutes of the meetings of the SouthWest Water Company Board of Directors in 2020, the test year for the rate case at issue and (b) the unanimous written consents of the SouthWest Water Company Board of Directors in 2020, i.e., actions taken by the Board by written consent in lieu of a meeting. Please see Confidential Attachment a provided in response to AIR 6-7.

Additionally, subject to and without waiving its objections, the Company will review the minutes of the meetings of the SouthWest Water Company Board of Directors in 2019 and produce any portions that reference the Company or its then corporate parents in 2019.

Response prepared by:

Kent Cauley

6-8 Please provide a copy of all presentations made to SouthWest's Board of Directors during calendar years 2019, 2020 and 2021.

PWR Response:

The Company objects to this request on the basis that it seeks information that is irrelevant and is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. The Company further objects to this request to the extent it seeks information that is privileged or otherwise protected from disclosure.

Subject to and without waiving its objections, the Company will produce the presentations made to the SouthWest Water Company Board of Directors at the meetings in 2020 referenced in the Company's amended response to Request 6-7, above. Please see confidential Attachment a provided in response to ORS AIR 6-7.

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Additionally, subject to and without waiving its objections, the Company will review the presentations made to the SouthWest Water Company Board of Directors at its meetings in 2019 and produce any portions that reference the Company or its then corporate parents in 2019.

Response prepared by:

Kent Cauley